**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE R.BASANT**

**WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929**

**Bail Appl..No. 6142 of 2007()**
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**CMP.4903/2007 of J.M.F.C., HARIPAD**
**.....**

**(CRIME NO.83 OF 2007 OF KARTHIKAPPALLY EXCISE RANGE)**

**PETITIONER/ACCUSED:**
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**VISWAMBARAN, AGED 45 YEARS,**
**S/O DAMODHARAN, MIDHUN NIVAS,**
**KARUVATTA VADAKKUM MURI,**
**KARUVATTA VILLAGE, KARTHIKAPPALLY TALUK.**

**BY ADV. SRI.S.SANAL KUMAR**

**RESPONDENT: COMPLAINANT:**
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**STATE OF KERALA, REPRESENTED BY THE**
**PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.**

**BY PUBLIC PROSECUTOR SRI. S.U. NAZAR**

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

*KSS*

**R.BASANT, J**

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**B.A.No.6142 of 2007**

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Dated this the 10th day of October, 2007

**ORDER**

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 5 litres of Indian Made Foreign Liquor on 20.09.2007 when he was intercepted and arrested by the police. He continues in custody from that date. The learned Public Prosecutor submits that the petitioner has one other case under the Abkari Act also registered against him.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer between 10 a.m and 12 noon on all Mondays for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

**(R.BASANT, JUDGE)**

rtr/-